



Public Notice

**U.S. Army Corps
of Engineers**

Applicant:
Northeast (NE-07)
Pipeline Project

Date:
Published: June 9, 2006
Expires: July 24, 2006

In Reply Refer To:

NE-07

Applications for Permits under Authority of
Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)
and Section 404 of the Clean Water Act (33 U.S.C. 1344).

Applicants: Empire Pipeline, Inc.
6363 Main Street
Williamsville, New York 14221

Millennium Pipeline Company, LLC
33 Lewis Road
Binghamton, NY 13905

Columbia Gas Transmission Corporation
33 Lewis Road
Binghamton, NY 13905

Algonquin Gas Transmission System, LLC
1284 Soldiers Field Road
Boston, MA 02135-1003

Iroquois Gas Transmission System, LP
One Corporate Drive, Suite 600
Shelton, CT 06484

The U.S. Army Corps of Engineers has received applications for Department of the Army permits for the proposed Northeast-07 (NE-07) Pipeline Project from Columbia Gas Transmission Corporation, Millennium Pipeline Company, Empire Pipeline, Inc., Algonquin Gas Transmission, LLC, and Iroquois Gas Transmission System, LP, to construct the Northeast-07 project. The NE-07 project involves the construction of a natural gas pipeline (total length of approximately 280 miles), and associated facilities in New York and Connecticut. The applications were submitted in accordance with Section 10 of the Rivers and Harbors Act (RHA) of 1899 and Section 404 of the Clean Water Act (CWA), for work in waters of the United States. The Federal Energy Regulatory Commission (FERC), in cooperation with the U.S. Army Corps of Engineers and other federal and state agencies, has prepared a Draft Supplemental Environmental Impact Statement (DSEIS) regarding the project, to meet the requirements of the National Environmental Policy Act (NEPA).

The DSEIS was drafted as a supplement to a Final Environmental Impact Statement (FEIS) that was prepared in 2001 for a project then referred to as the Millennium Pipeline Project. Although the FERC

issued an order approving the Millennium Pipeline Project in 2002, the New York State Department of State denied the individual coastal zone consistency concurrence for the project on May 9, 2002, and the U.S. Army Corps of Engineers denied a Department of the Army Permit without prejudice on January 20, 2004. The NE-07 Project is a modification of and an alternative to the Millennium Pipeline Project.

This Public Notice announces the availability of the DSEIS and the review of the applications for permits. Specific activities regulated by the Corps of Engineers include the discharge of dredged or fill material in waters of the United States associated with pipeline installation and the construction of access roads, resulting in temporary and permanent impacts to wetlands and waterbodies. Approximately 680 wetlands would be crossed by the NE-07 pipeline, temporarily affecting approximately 200 acres. In addition, approximately 630 waterbodies, including intermittent and perennial streams and/or rivers, would be crossed by the project.

The DSEIS can be found at the U. S. Army Corps of Engineers offices identified below and the following web sites:

U.S. Army Corps of Engineers web site: www.lrb.usace.army.mil/regulatory/notices.htm

FERC website: www.ferc.gov using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the FERC docket number shown below, excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or 1-202-502-8659. The eLibrary link also provides access to the texts of other documents issued by FERC, such as orders, notices, and rulemakings. Refer to: Columbia Gas Transmission Corporation, FERC Docket No. CP05-19-000; Millennium Pipeline Company, FERC Docket Nos. CP98-150-006 and -007; Empire Connector Project, FERC Docket No. CP06-5-000; Algonquin Gas Transmission Ramapo Expansion Project, FERC Docket No. CP06-76-000; and Iroquois Gas Transmission System Market Access Project, FERC Docket No. CP02-31-002.

FERC has arranged for copies of the DSEIS to be available for review at the following libraries :

Bristol Library, 6750 County Road 32, Canandaigua, NY 14424
Dundee Library, 32 Water St., Dundee, NY 14837
Geneva Free Library, 244 Main St., Geneva, NY 14456
Gorham Free Library, P.O. Box 211, Gorham, NY 14461
Haxton Memorial Library, 3 North Pearl St, Oakford, NY 14125
Penn Yan Public Library, 214 Main St., Penn Yan, NY 14527-1796
Pioneer Library System, 2557 State Route 21, Canandaigua, NY 14424
Southeast Steuben County Library, 300 Nasser Civic Center Plaza, Corning, NY 14830
Steele Memorial Library, 101 E. Church St., Elmira, NY 14901
Victor Free Library, 15 W. Main St., Victor, NY 14564
Watkins Glen Free Library, 610 S. Decatur St., Watkins Glen, NY 14891-1613
Wood Library, 134 N. Main St., Canandaigua, NY 14424

If you wish to provide written comments on the proposed activity subject to the jurisdiction of the Corps of Engineers, please provide them to FERC **and** the Corps of Engineers within 45 days of the date of this notice. Send comments to:

Federal Energy Regulatory Commission
Magalie R. Salas, Secretary
888 First Street, N.E., Room 1A
Washington, DC 20426
(refer to FERC Docket numbers referenced above)

U.S. Army Corps of Engineers- Buffalo District
ATTN: Margaret Crawford
Auburn Field Office
7413 County House Road
Auburn, New York 13021
or by e-mail to: Margaret.A.Crawford@usace.army.mil

Questions pertaining to the work within the jurisdiction of the Corps of Engineers may be directed to one of the following respective points of contact:

Regarding Empire Pipeline, DA Proc. No. LRB-2005-00146 and Millennium Pipeline Company, DA Proc. No. LRB-2005-02043 (work in New York west of Delaware County):

Margaret Crawford
U.S. Army Corps of Engineers- Buffalo District
(315) 255-8090

Regarding Millennium Pipeline Company, DA Proc. No. NAN-2005-00138; Algonquin Ramapo Expansion, DA Proc. No. NAN-2006-00056 and Iroquois Market Access, Dover Compressor Station, DA Proc. No. NAN-2006-00232 (work in New York in Delaware County and eastward):

Heidi Firstencel
U.S. Army Corps of Engineers - New York District
Albany Field Office
1 Bond Street
Troy, New York 12180
(518)273-8593

Regarding Iroquois Market Access, Brookfield Compressor Station, DA Proc. No. NAE-2006-850 and Algonquin Ramapo Expansion, DA Proc. No. NAE-2006-1516; (work in Connecticut):

Cori Rose
U.S. Army Corps of Engineers - New England District
696 Virginia Road
Concord, Massachusetts 017420-2751
(978) 318-8306

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting comments in writing, so that they are received no later than 4:30 PM on the expiration date of this notice. A 45-day comment period was issued to be consistent with the FERC DSEIS comment period. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. Due to resource limitations, the Corps of Engineers will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any person may request a public hearing by submitting a written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments. Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain information at a hearing, not available in written comments, that will aid him in the decision making process for these applications. A Corps of Engineers hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn in and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny these permit requests will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments will be used in the preparation of a Final Supplemental Environmental Impact Statement pursuant to NEPA. Comments are also used to determine the need for a public hearing and to determine whether the proposed activity is in the overall public interest.

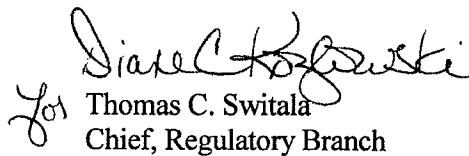
Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicants will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

In addition to any required water quality certificate, the applicants have obtained or requested other governmental authorization for their activity under consideration. A complete list of these authorizations is located in Section 2 of the DSEIS.

The proposed activity may affect Federally listed endangered or threatened species or their critical habitat as described in Section 4 (Endangered and Threatened Species) of the DSEIS. As lead Federal agency, FERC is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project areas or their critical habitat pursuant to Section 7 of the Endangered Species Act (16 U.S.C.1531),

The proposed project may affect historic properties, as described in Section 4 (Cultural Resources) of the DSEIS. As lead Federal agency FERC is directing federal compliance with Section 106 of the National Historic Preservation Act.

The DSEIS describes in detail the location, purpose and need, system alternatives, construction procedures, as well as an environmental analysis, pertaining to potential impacts to wetlands and other waters of the United States.


For Thomas C. Switala
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 45 days from the date of issuance.



Northeast (NE)-07 Project

Draft Supplemental Environmental Impact Statement

June 2006

Volume 1
FERC/EIS-0195D

Millennium Pipeline Project - Phase I
Millennium Pipeline Company, L.L.C.
Docket No. CP98-150-006, et al.
Columbia Gas Transmission Corporation
Docket No. CP98-151-003, et al.

Line A-5 Replacement Project
Columbia Gas Transmission Corporation
Docket No. CP05-19-000

Empire Connector Project
Empire State Pipeline and Empire Pipeline, Inc.
Docket No. CP06-5-000, et al.

Ramapo Expansion Project
Algonquin Gas Transmission System, LLC
Docket No. CP06-76-000

MarketAccess Project
Iroquois Gas Transmission System, LP
Docket No. CP02-31-002

